

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 3, 6-8, 10-12, 14, 16-19, 21, and 22 are pending. Claims 1, 6, 7, 11, 16-19, 21, and 22 are amended and Claims 4, 5, 15, and 20 are canceled without prejudice or disclaimer by the present amendment. Amended Claims 1, 6, 7, 11, 16-19, 21, and 22 are supported by the original claims, and therefore add no new matter.

Claims 1, 3-8, 10-12, and 14-22 were rejected under 35 U.S.C. §112, first paragraph. Claims 1, 3-8, 10-12, and 14-22 were rejected under 35 U.S.C. §103(a) as unpatentable over the Tool and Manufacturing Engineer's Handbook (hereinafter the *Engineer's Handbook*) in view of Mori and Nomura.

With regard to the rejection of Claims 1, 3-8, 10-12, and 14-22 under 35 U.S.C. §112, first paragraph, that rejection is respectfully traversed.

The outstanding Office Action alleges that the definition of “core diameter” included in the pending claims is not supported by the specification. Specifically, “Nowhere in the specification was found a discussion of a ‘solid core material.’” However, the core diameter, labeled as element 14 on Figure 3, is shown in Figure 3 to be a solid core. Accordingly, it is respectfully submitted that the definition of “core diameter” is supported by both paragraph 42 in the specification *and* Figure 3 of the present application. Consequently, Claims 1, 3, 6-8, 10-12, 14, 16-19, 21, and 22 are believed to be in compliance with all requirements under 35 U.S.C. §112, first paragraph.

With regard to the rejection of Claims 1, 3-8, 10-12, and 14-22 under 35 U.S.C. §103(a) as unpatentable over the *Engineer's Handbook* in view of Mori and Nomura, this rejection is respectfully traversed.

Amended Claim 1 recites a hole forming tool “wherein a main body of said hole forming tool is constructed of a cemented carbide which comprises 10 ± 2 wt % Co, 0.65 ± 0.25 wt % Cr, WC for a balance thereof, and inevitable impurities.”

This subject matter was originally recited in Claim 15, which is now canceled. The Office Action dated September 19, 2002 cited Nomura as teaching or suggesting the subject matter of Claim 15. However, it is respectfully submitted that Nomura at most describes a cemented carbide drill containing 13-30 volume percentage of Co and an undisclosed amount of WC.¹ It is respectfully submitted that there is no teaching or suggestion in Nomura to include “ 0.65 ± 0.25 wt % Cr.” Consequently, there is no teaching or suggestion in Nomura for “a cemented carbide which comprises 10 ± 2 wt % Co, 0.65 ± 0.25 wt % Cr, WC for a balance thereof, and inevitable impurities,” as recited in amended Claim 1. Further, it is respectfully submitted that neither the *Engineer's Handbook* nor Mori teach or suggest this element, nor has the outstanding Office Action cited either of these references with respect to this element. Since the cited references do not teach or suggest each and every element of Claim 1, it is respectfully submitted that Claim 1 (and Claim 3 dependent therefrom) is patentable over the cited references.

Independent Claims 6, 7, 11, 16-19, 21, and 22 recite similar elements to Claim 1. It is respectfully submitted that Claims 6, 7, 11, 16-19, 21, and 22, and all claims dependent therefrom, are patentable over the cited references for at least the reasons discussed above with respect to Claim 1.

¹See Nomura, column 3, lines 15-21.

Application No. 09/821,069
Reply to Office Action of August 11, 2005

Accordingly, the pending claims are believed to be in condition for formal allowance.

An early and favorable action to that effect is respectfully requested.

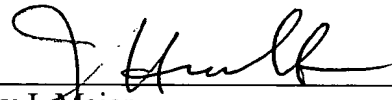
Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)



Gregory J. Maier
Registration No. 25,599
James D. Hamilton
Registration No. 28,421
Attorneys of Record

I:\ATTY\ET\205279US\205279US-AMD11.11.05.DOC